

NEWS RELEASE



OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA

San Diego, California

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For Immediate Release

NEWS RELEASE SUMMARY - January 20, 2006

United States Attorney Carol C. Lam announced that United States District Court Judge Napoleon A. Jones today sentenced Gabriel Ortiz-Romero in federal district court in San Diego to serve a prison term of 60 months in custody for his role in the smuggling of a group of undocumented aliens, which resulted in one death.

The evidence at trial established that on January 30, 2004, a smuggling guide, or “coyote,” walked a group of undocumented aliens into the United States from Mexico through the hills near Tecate, California. The aliens walked all night and then waited with the guide, Blas Valdez-Valenzuela, at a prearranged pickup spot in East San Diego County. On the morning of January 31, 2004, the defendant, Ortiz-Romero, picked up Valdez-Valenzuela and 11 smuggled aliens in a Mercury Villager minivan. Ortiz-Romero and Valdez-Valenzuela were the only occupants wearing seatbelts. The middle bench seat of the minivan had been removed, and the 11 smuggled aliens were lying and crouching down on the rear floorboard of the minivan, one alien on top of another. Ortiz-Romero instructed the aliens to “get down” to avoid being spotted by United States immigration officials.

According to court documents, while traveling on Interstate 8, westbound near Lake Jennings Road, the minivan blew a tire, Ortiz-Romero lost control, and the vehicle began to roll, coming to rest in the median between the eastbound and westbound lanes of Interstate 8. One of the smuggled aliens, Lorena Garcia, died from blunt force injuries to the head sustained when the van rolled. Other occupants suffered serious injuries.

Motorists who witnessed the accident quickly notified law enforcement officials that, shortly after the van came to a rest in the median, two men were seen fleeing the accident scene on foot. Moments later, a California Highway Patrol Officer found Ortiz-Romero and Valdez-Valenzuela about half a mile away from the accident scene. Ortiz-Romero was bleeding from a head wound. Another California Highway Patrol Officer found blood on the driver's shoulder restraint belt, on the driver's headrest, and on a trim piece above and to the left of the driver's seat. DNA analysis by the San Diego Sheriff's Crime Laboratory established at trial that the blood on the seatbelt, headrest and trim piece came from Ortiz-Romero. In addition, many of the aliens involved in the accident testified at Ortiz-Romero's trial, including five aliens who returned from Mexico for that purpose. The Mexican consulate assisted in the witnesses' return to the United States to testify. In court, several of these witnesses identified Ortiz-Romero as the driver.

Ortiz-Romero's co-defendant, Blas Valdez-Valenzuela, pled guilty to Bringing in Illegal Aliens Resulting in Death and Bringing in Illegal Aliens for Financial Gain, and testified at Ortiz-Romero's trial. On May 23, 2005, Judge Jones sentenced defendant Valdez-Valenzuela to 24 months in prison and three years of supervised release.

United States Attorney Lam said, "We cannot accept the loss of a single life resulting from the reckless actions of greedy smugglers."

DEFENDANT

Gabriel Ortiz-Romero

SUMMARY OF CHARGES

Title 8, United States Code, Section 1324(a)(1)(A)(i), (v) (II) and (a)(1)(B)(iv) and Title 18, United States Code, Section 2 - Bringing an Illegal Alien to the United States Resulting in Death and Aiding and Abetting. Maximum penalties: A maximum of life in prison and a \$250,000 fine.

Title 8, United States Code, Section 1324(a)(1)(A)(ii), (v) (II) and (a)(1)(B)(iv) and Title 18, United States

Code, Section 2 - Transportation of an Illegal Alien Resulting in Death and Aiding and Abetting.
Maximum penalties: A maximum of life in prison and a \$250,000 fine.

Title 8, United States Code, Section 1324(a)(2)(B)(ii) and Title 18, United States Code, Section 2 - Bringing in Illegal Aliens for Financial Gain and Aiding and Abetting.
Maximum penalties: A minimum of three years in prison and a maximum of 10 years in prison for the first and second offense; a minimum of five years in prison and a maximum of 15 years in prison for any other offense; and a \$250,000 fine.

Title 8, United States Code, Section 1324(a)(1)(A)(ii) and (v)(II) and Title 18, United States Code, Section 2 - Transportation of Illegal Aliens and Aiding and Abetting.
Maximum penalties: A maximum of ten years in prison and a \$250,000 fine.

AGENCIES

California Highway Patrol
United States Immigration and Customs Enforcement
United States Border Patrol
San Diego County Sheriff's Office
San Diego Sheriff's Crime Laboratory
San Diego County Medical Examiner